

Dear Commissioners:

Don't prevent states from fixing my cell phone problems. I am writing to oppose CG Docket No. 04-208 and WT Docket No. 05-194, which will unjustly take away the authority of states to tackle problems with cell phone service, including abusive cancellation penalties. Worse, the proposal will put in place a weak set of cell phone company-endorsed rules that offer no improvements in service or enforcement.

It's time to adopt policies that force cell phone companies to improve the level of service they provide to consumers. I think Cingular Wireless becoming part of BellSouth is still an example from the MA Bell Companies. With Cingular, and Bell South merging, it's like a new MA BELL, operating companies and At&T all in one industry and holding a monopoly once again. The way it use to be , but now with Cell Phone providers and operators.

A friend and I have been Cingular members for more than 8 years. We incurred incremental costs by having to constantly upgrade our outdated phones and pay higher costs adjustments because the company upgraded new services.

Our Cingular monthly statements were never under \$300.00 a month. We also had my friends son on the same account.

Finally, after having to upgrade our phones when we moved from Atlanta to Louisville, kentucky, we were forced to upgrade our cell phones more than 3 times in less than 2 years.

We were sick of these incremental charges for upgrades simply because of Cingular system switch overs and changes.

Otherwise our service would be dergraged making reception and dropped calls worse,

(interrupted by dropped calls, static and poor local store services. The employees were always rude and arragant). This is a big conglomerate attitude.

At this point, becasue we ran a business, our cingular statements increaded to approx \$600 a month on top of having to get new cell phones. (\$200 + each).

These complaints were directed to the FCC and the office of the president at cingular. The reuslts of our complaints went unaddressed and nothing was done about our issues. They sound our complaints were unfounded and there was nothing more they could b=do about our complaint of poor services.

We just couldn't afford the cost for these interrputed services with no credits for dropped calls and be forced to upgrade our equipment because cingular made network and system changes which warranted customers to pay more money and upgrade.

Customers are now being forced to pay and upgrade Otherwise, if the customer doesn't upgrade, the service would be worse than worse because of system incompatabilities with older outdated cell phone equipment originally purchahse.

We received one phone call from the office of the president and they did not understand our frustration over bad equipment and customer service and constant charges for their system ugrades.

The telephone and cell phone companies need to be slowed down and/or

stopped from ever increasing service charges and not be held responsible for bad reception and dropped calls.

And

further complicate the process for getting credits for bad service and dropped calls. (hustles to keep track of these calls to seek credits).

The customer shouldn't have to pay for bad service and poor equipment that requires frequently upgrades and constant upgrade equipment costs just for their own aggressive hi tech advances.

STOP THESE COMPANIES FROM OVERCHARGING CUSTOMERS, PROVIDING POOR CUSTOMER SUPPORT and SERVICE AND HOLD THEM RESPONSIBLE FOR EQUIPMENT UPGRADE COSTS INCURRED BY CUSTOMER, SINCE THEY ARE STILL BUILDING AND EXPANDING THEIR TECHNOLOGY.

THE CUSTOMER SHOULD BENEFIT AND NOT BE PENALIZED BY SELFISH CELL PHONE COMPANIES.

Although CG Docket No. 04-208 purports to address consumer frustration with confusing cell phone bills, hidden fees and misleading advertising, the proposal does little for consumers. In the name of helping us, the agency is proposing to block states from passing their own pro-consumer laws. As bad, WT Docket No. 05-194 would bar state courts from enforcing state law when it comes to unfair and abusive cell phone contracts. That's going too far.

States are responding to consumer complaints. Don't stop them! And don't give in to adopting weak, industry-drafted rules in their place. The FCC should stand up to the cell phone industry, and respect states rights and strong consumer protections.

Sincerely,
David Katalenas